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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION

FILED

AUG 1, 2008
AUG 1 2008 MB

MILTON DOWELL,
PETITIONER,

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

VS.

NO. 08C0508

MARY C. ANDERSON CRIM. NO. 99-CR-555-1
RESPONDENT.

SWORN AFFIDAVIT OF MILTON DOWELL

COMES NOW, MILTON DOWELL, PURSUANT TO PENALTY
OF PERJURY UNDER TITLE 28 USC § 1746, WITH
THIS HERE SWORN AFFIDAVIT AND PROVIDES AS FOLLOWS:

1. ON "JULY 28, 2008," IN THE FIRST INSTANCE
I RECEIVED NOTICE THAT MY CASE STATUS WAS
ONE SUMMARILY DISMISSED. SEE ATTACHMENT
PP. 1-2.

2. I HAVE NEVER RECEIVED A COPY OF THE
COURT'S 1/29/08 MINUTE ENTRY ORDER SUMMARILY
DISMISSING MY HABEAS ACTION ON 1/29/08.
AS SUCH I WAS NEVER NOTIFIED IN A TIMELY
FASHION OF MY CASE BEING DISMISSED, IN
ORDER TO TIMELY FILE MY NOTICE OF APPEAL.

3. WITHIN 5 DAYS OF RECEIVING NOTICE,
ATTACHMENT PP. 1-2, THAT MY CASE WAS
SUMMARILY DISMISSED I FILLED MY NOTICE
OF APPEAL WITH THE DISTRICT COURT CLERK.
AS SUCH MY NOTICE OF APPEAL SHOULD BE
DEEMED TIMELY FILED FOR PURPOSES OF
CERTIFICATION OF APPLICABILITY.

EXECUTED UNDER PENALTY OF PERJURY,
TITLE 28 USC §1746, THIS 28 DAY OF JULY 2008,

RESPECTFULLY SUBMITTED

xMilton Dowell

MILTON DOWELL

11920-424

MCFP, P.O. BOX 4000

SPRINGFIELD, MO.

65801-4000



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

MICHAEL W. DOBBINS
 CLERK

***Prisoner Correspondence**

Date:

7-23-08

In response to your enclosed request, please see the box or boxes checked:

- ☐ This court does not have the requested forms. Check with your law library or the public library.
- ☐ Communications to the court (such as letters sent to the judge) without a certificate of service to the opposing party(s) are what the law calls "ex parte" and will not be considered by the court. All court filings must be in the form of pleadings, with the case name, number, and caption, and served on opposing parties, in order to comply with Fed.R.Civ.P. 5.
- ☐ The enclosed material contains no case number or case title. Without that information the document cannot be processed. Accordingly, the material you submitted to this office is being returned to you. See Fed.R.Civ.P. 10(e).
- ☐ Pursuant to *Antonelli v. Sheahan*, 81 F. 3d 1422, 1431 (7th Cir. 1996), mail from the Clerk of the Court is not privileged mail and can be opened outside the presence of the prisoner. *See also, Jones v. Sheahan*, 2002 WL 959814 (N.D. IL.).
- ☐ As the court has previously ordered, you must pay the full filing fee, in installments if so ordered, in all cases filed in this court.
- ☐ Check with the trust fund officer at your institution to determine the status of payment of your court filings fees.
- ☐ Status request: As of this date the Court has taken no action on the requested case. When an order is entered, you will be promptly notified by mail.
- ☒ Status request: Attached is the latest docket entry in your case.
- ☐ It is the responsibility of the party filing the documents to serve the opposing side and to file a certificate of service indicating who was served, who made the service, when and how this service was made. For the above reasons, your service copies are being returned to you. *See Fed.R.Civ.P. 5.*
- ☐ Please be advised that we are not attorneys and are prevented by federal law from answering questions of a legal nature. We are also prohibited from interpreting the rules. You should direct your questions to an attorney who will be able to give you the legal advice you seek, or to contact the law library at your institution. We regret that we cannot assist you in this matter.

*The Prisoner Correspondence Office is the part of the Clerk's Office which processes all mail from inmates.

Continued on reverse side

- ☐ Contact: Attorney Registration and Disciplinary Commission of the Illinois Supreme Court (ARDC)
One Prudential Plaza
130 E. Randolph Drive
Chicago IL 606901
- ☐ Contact: Clerk of the Circuit Court of Cook County
Richard J. Daley Center
Chicago IL 60601
- ☐ For copies of collected bound reported court opinions, contact:
Sale Department, West Publishing
P.O. Box 3526
St. Paul MN 55165
- ☐ Local Rule 5.1 requires that "all materials shall be filed in the divisional office of the division to which the case is assigned." Your case is assigned to the **Western Division**. Send all requests and documents related to this case to the Western Division at:
U.S. District Court for the Northern District of Illinois
211 South Court St. - Room 252
Rockford IL 61101
- ☐ For a copy of Local Rules for U.S. District Court, Northern District of Illinois, the fee is \$10.50 payable to Clerk, U.S. District Court. Send the fee and your request to:
Clerk, U.S. District Court
Attn: Cashier
219 S. Dearborn - 20th floor
Chicago IL 60604
- ☐ For a copy of the Federal Rules of Civil, Criminal, Bankruptcy, Evidence or Appellate Procedures, contact:
Superintendent of Documents
U.S. Government Printing Office
Washington D.C. 20402
- ☐ Pursuant to Local Rule 5.6, no pleading, motion [except for motion to intervene], or other document shall be filed in any case by any person who is not a party thereto, unless approved by the court. Without such an order, the clerk shall not accept any document sent in by a person who is not a party.
- ☐ We cannot comply with your request to backdate stamp your documents. Received stamped copies for return to you must be received at the time of filing. Accordingly, your documents are being returned to you.
- ☐ You filed your case under your alias and not the name under which you are incarcerated. Your mail at the institution must be addressed to you under your institutional name. Therefore, unless you inform the court in writing of your correct name, and ask the court to remove your alias name, you will not receive any further notices from the court.

01/29/2008 MINUTE entry before Judge Matthew F. Kennelly :The Court grants Petitioner's motion for leave to file in forma pauperis 3 . The Court summarily dismisses the petition for a writ of habeas corpus for lack of jurisdiction pursuant to Rules 1(b) and 4 of the Rules Governing Section 2254 Cases. Civil case terminated.